

IN THE COURT OF APPEALS OF THE STATE OF IDAHO

Docket No. 36157

STATE OF IDAHO,)	2009 Unpublished Opinion No. 584
)	
Plaintiff-Respondent,)	Filed: August 26, 2009
)	
v.)	Stephen W. Kenyon, Clerk
)	
NATHAN RAY OSTROM,)	THIS IS AN UNPUBLISHED
)	OPINION AND SHALL NOT
Defendant-Appellant.)	BE CITED AS AUTHORITY
)	

Appeal from the District Court of the Fourth Judicial District, State of Idaho, Ada County. Hon. Deborah A. Bail, District Judge.

Judgment of conviction and unified sentence of twenty years, with five years determinate, for lewd conduct with a minor under sixteen, affirmed.

Steven D. Thompson, Ketchum, for appellant.

Hon. Lawrence G. Wasden, Attorney General; Lori A. Fleming, Deputy Attorney General, Boise, for respondent.

Before PERRY, Judge, GUTIERREZ, Judge
and GRATTON, Judge

PER CURIAM

Nathan Ray Ostrom was indicted by a grand jury on three counts of lewd conduct with a minor under sixteen and pursuant to a plea agreement, pled guilty to one count of lewd conduct with a minor child under sixteen, I.C. § 18-1508. The district court sentenced Ostrom to a unified term of twenty years, with five years determinate. Ostrom appeals from his judgment of conviction and sentence, contending that the district court abused its discretion by imposing an excessive sentence.

Where a sentence is within the statutory limits, it will not be disturbed on appeal absent an abuse of the sentencing court's discretion. *State v. Hedger*, 115 Idaho 598, 604, 768 P.2d 1331, 1337 (1989). We will not conclude on review that the sentencing court abused its discretion unless the sentence is unreasonable under the facts of the case. *State v. Brown*, 121

Idaho 385, 393, 825 P.2d 482, 490 (1992). In evaluating the reasonableness of a sentence, we consider the nature of the offense and the character of the offender, applying our well-established standards of review. *See State v. Hernandez*, 121 Idaho 114, 117-18, 822 P.2d 1011, 1014-15 (Ct. App. 1991); *State v. Lopez*, 106 Idaho 447, 449-51, 680 P.2d 869, 871-73 (Ct. App. 1984); *State v. Toohill*, 103 Idaho 565, 568, 650 P.2d 707, 710 (Ct. App. 1982). When reviewing the length of a sentence, we consider the defendant's entire sentence. *State v. Oliver*, 144 Idaho 722, 170 P.3d 387 (2007).

Applying the foregoing standards and having reviewed the record, we conclude that the district court did not abuse its discretion by imposing the sentence. Accordingly, Ostrom's judgment of conviction and sentence are affirmed.